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## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

CHECK BOX, if applicable:

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Submit an original, and a duplicate for fee processing. (Only for Continuation or Divisional applications under 37 CFR 1.53(d))

Address to:

**Assistant Commissioner for Patents Box CPA** Washington, DC 20231

Attorney Docket No. of Prior Application	3364P039
First Named Inventor	Kyou-Yoon Sheem 🔘
Examiner Name	J.A. MERCADO
Group/Art Unit	1745
Express Mail Label No.	EL651826644US

continuation or divisional application under 37 CFR 1.53(d), This is request for a (continued prosecution application (CPA)) of prior application number 09/512,394 filed on February 24, 2000, entitled NEGATIVE ACTIVE MATERIAL FOR RECHARGEABLE LITHIUM BATTERY AND METHOD OF PREPARING SAME.

## NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR § 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR § 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1.	X	Enter the unentered amendment previously filed on <u>December 18, 2002</u> under 37 CFR § 1.116 in the prior nonprovisional application.								
2.		A pre	reliminary amendment is enclosed.							
3.	This	application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).								
	а.	. 🗆	<b>DELETE</b> the following inventor(s) named in the prior nonprovisional application:							
	b.	. 🗆	The inventor(s) to be deleted are set forth on a separate sheet attached hereto.							
4.		A nev	power of attorney or authorization of agent (PTO/SB/81) is enclosed.							
5.	Infor a.	_	Disclosure Statement (IDS) is enclosed: PTO-1449							
	b.		Copies of IDS Citations							

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Tredemark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

TILITICIS ELEMENT 00000001 09512394

CLAIN	MS	(1) FOR	(2) NUMBI	ER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS			
		OTAL CLAIMS CFR 1.16(c) or (j))	16	-20* =	0	x \$ <u>18.00</u> =	\$			
		DEPENDENT CLAIMS CFR 1.16(b) or (i))	3	-3** =	0	x \$ <u>84.00</u> =				
MULTIPLE DEPENDENT CLAIMS (# a				icable) (37 CF	R 1.16(d))	+\$=				
						BASIC FEE (37 CFR 1.16)	750.00			
	Total of above Calculations =									
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).									
* Reissue claims in excess of 20 a ** Reissue independent claims over				er original patent.		TOTAL =	\$750.00			
6. Small entity status: Applicant claims small entity status. See 37 CFR 1.27.  7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No										
			10. NEV	CORR	ESPONDENCE A	DDRESS				
Customer Number of Bar Code Label  *08791*  Correspondence address										
Name Steven Laut			ouler 0. 7	- f 1 1	n .					
Blakely, Sokoloff, Taylor &  Address 12400 Wilshire Boulevard, S										
City Los Angeles				State	California	Zip Code	90025-1030			
Count	ry	USA	Tele	ohone	(310) 207-3800	Fax	(310) 820-5988			
15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED										
	NAME (Print/Type) Steven Laut									
		ATURE		X 1/1						
Registration No. (Attorney/Agent) 47,736										

DATE

February 7, 2003